

112 Rec'd PCT/PTO 21 DEC 2004

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 1579-968
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/518523</b> (No. Be Assigned)
INTERNATIONAL APPLICATION NO. PCT/US2003/022917	INTERNATIONAL FILING DATE 23 July 2003	PRIORITY DATE CLAIMED 23 July 2002
TITLE OF INVENTION IgG Fc/HIV-gp120/C3d FUSION PROTEIN		
APPLICANT(S) FOR DO/EO/US HAYNES et al		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The U.S. has been elected (Article 31).
- A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☒ is attached hereto (1 face page, 20 pages specification & claims (20 claims), 2 sheets drawings).
  - ☒ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))
  - ☐ is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings,        page Certificate of Translation).
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - ☒ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  - ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(5)).  
Items 11 To 20 below concern document(s) or information included:
- ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98, w/PTO-1449 Form and International Search Report.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- ☒ A FIRST preliminary amendment.
  - ☐ A SECOND or SUBSEQUENT preliminary amendment.
- ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
- ☐ A substitute specification.
- ☐ A change of power of attorney and/or address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☐ Other items or information.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.51) <b>107518523</b> (To Be Assigned)		INTERNATIONAL APPLICATION NO. <b>PCT/US2003/022917</b>		ATTORNEY'S DOCKET NUMBER <b>1579-968</b>	
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21. ☒ The following fees are submitted:

<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b>					
<input checked="" type="checkbox"/> a) Basic national fee .....	\$300.00	\$	300.00		
<input checked="" type="checkbox"/> b) Examination Fee .....	\$200.00	\$	200.00		
<input checked="" type="checkbox"/> c) Search Fee .....	\$500.00	\$	500.00		
<b>TOTAL OF ABOVE CALCULATIONS .....</b>		\$	1000.00		

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
22 -100	0	/50 =	0.00	X \$250.00	\$ 0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☒ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	20	minus 20 =	0	X \$50.00	\$ 0.00
Independent Claims	1	minus 3 =	0	X \$200.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00	\$	

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$120.00/1 month; \$450.00/2 months; \$1020.00/3 months)

<b>TOTAL OF ABOVE CALCULATIONS =</b>	\$	1130.00
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☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by one half.

<b>SUBTOTAL =</b>	\$	1130.00
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Processing fee of \$130.00, for furnishing the English Translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).

<b>TOTAL NATIONAL FEE =</b>	\$	1130.00
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Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property

	\$	0.00
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Fee for Petition to Revive Unintentionally Abandoned Application (\$1500.00 - Small Entity = \$750.00)

	\$	0.00
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<b>TOTAL FEES ENCLOSED =</b>	\$	1130.00
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	Amount to be:	
	refunded	\$
	Charged	\$

a. ☐ A check in the amount of \$0.00 to cover the above fees is enclosed.  
 b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this form is enclosed.  
 c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.  
 d. ☒ **CREDIT CARD PAYMENT FORM ATTACHED.**  
 e. ☒ The entire content of International Application No. PCT/US2003/022917 and any U.S. and foreign application(s) corresponding thereto, and US 60/397,605, referred to in this application is/are hereby incorporated by reference in this application.

**NOTE:** Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**CORRESPONDENCE ADDRESS**  
 Direct all correspondence to:

☒ **Customer Number:** **23117**

Type Customer Number here

Telephone: (703) 816-4000  
 MJW:tat

*Mary J. Wilson*  
**Mary J. Wilson**  
 NAME

**32,955**                      **December 21, 2004**  
 REGISTRATION NUMBER      Date